



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

October 1, 2004

Small Entity Compliance Guide

Dear Limited Access Northeast (NE) Multispecies Permit Holder:

This letter is to inform you that, pursuant to 50 CFR 648.85(a)(3)(iv)(D), **the National Marine Fisheries Service (NOAA Fisheries), is closing the Eastern U.S./Canada Area to all limited access NE multispecies days-at-sea (DAS) vessels, unless participating in a future approved Special Access Program (SAP) for which the total allowable catch (TAC) allocation for the target stock for that SAP has not been fully harvested; and NOAA Fisheries is implementing a prohibition on the harvest, possession, and landing of Georges Bank (GB) yellowtail flounder from the entire U.S./Canada Management Area (West and East), for all limited access NE multispecies DAS vessels. These measures are effective October 1, 2004, at 3:51 P.M. through April 30, 2005, unless otherwise modified.** This action is being taken based upon Vessel Monitoring System (VMS) reports and other available information, which indicates that 85 percent of the GB yellowtail flounder TAC has been harvested.

Vessels that have not yet departed on a trip, or declared their intent, to fish in the Eastern U.S./Canada Area as of **October 1, 2004, at 3:51 P.M.**, may not declare their intent to fish in, or enter or fish in the Eastern U.S./Canada Area. Vessels that have already declared their intent to fish in the Eastern U.S./Canada Area through VMS, departed on a trip and crossed the demarcation line as of **October 1, 2004, at 3:51 P.M.**, may finish their trip into the Eastern U.S./Canada Area.

Vessels that have not yet departed on a trip, or declared their intent, to fish in the Western U.S./Canada Area as of **October 1, 2004, at 3:51 P.M.**, may not possess or land GB yellowtail flounder caught in the Western U.S./Canada Area. Vessels that have already declared their intent to fish in the Western U.S./Canada Area through VMS, departed on a trip and crossed the demarcation line as of **October 1, 2004, at 3:51 P.M.**, may possess and land GB yellowtail flounder caught from the Western U.S./Canada Area.

This action is being enacted in accordance with the NE multispecies regulations to prevent over-harvesting of the yellowtail flounder TAC in the U.S./Canada Management Area.

This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.

This notice is authorized by the Administrator of the National Marine Fisheries Service, Northeast Region.

